

## EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Applicant's Second Supplemental Amendment to the claims, filed 11/8/2007, is acknowledged and entered. All pending rejections are withdrawn.

Authorization for this Examiner's Amendment was given in a telephone interview with Shelley Cobos on 9 November 2007. Claims 2, 6-29 and 31-37 were previously cancelled. New claim 38 was added by Applicant's amendment on 11/8/2007. An Examiner's Amendment to the claims was authorized to amend claims 30 and 38 and pass the case to issue. An interview summary is attached.

### In the Claims:

In claim 30, delete the phrase "prokaryotic or" in line 1.

In claim 30, replace the word "delivering" in line 8 with the word "transducing".

In claim 38, replace lines 7-9, beginning with the word "delivering" in line 7 and ending with the period in line 9, with the following:

"transducing said peptide construct *in vitro* to said prokaryotic or eukaryotic cell."

Claim 1, 3, 4, 5, 30 and 38, as amended above, are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cherie M. Woodward whose telephone number is (571) 272-3329. The examiner can normally be reached on Monday - Friday 9:00am-5:30pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Manjunath N. Rao can be reached on (571) 272-0939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1647

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/CMW/

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